United Nations S/PV.5119

Security Council

Sixtieth year

Provisional

5119th meeting

Friday, 4 February 2005, 10 a.m.

New York

President:	Mr. Adechi	(Benin)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Holliday

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2005/57)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-22949 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2005/57)

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the Sudan, document S/2005/57.

At this meeting, the Security Council will hear a briefing by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation, to whom I give the floor.

Mr. Pronk: Members of the Council have before them the report of the Secretary-General on the Sudan pursuant to Security Council resolutions 1547 (2004) and 1574 (2004), in which the Council asked the Secretary-General to submit, as soon as possible after the signing of the Comprehensive Peace Agreement, recommendations on the size, structure and mandate of a United Nations operation that would be established in support of the implementation of the Agreement.

The parties are to be congratulated on the wisdom and statesmanship they displayed in reaching the Agreement and on succeeding in bringing the talks to a close by the end of the year, in accordance with the commitments they gave at the historic meeting of the Security Council in Nairobi, Kenya, held, as the members of the Council may remember, in November 2004.

The signing of the Agreement marks the
the six-month pre-interim period. This six-mo
interim period will be followed by a six-year
period, in the middle of which, according
agreement, national elections will be held. At
of the interim period, almost six and a half yea
now, the population of south Sudan will se
question of the status of south Sudan in a refe
to decide between unity and secession.

The Secretary-General recommends th
United Nations Mission in the Sudan will wo
further six-month period after the referendum
the Government ensure that the resul
implemented. The successful implementation o
results will mark the exit point for the peace
operation. Of course, it goes without saying t
work of the United Nations funds, programm
agencies will continue after that point.

While the agreements signed in Nairobi de
implementation of the Peace Agreement, som
still remain to be agreed. This process
completed by the new presidency of the Sudan
is to be formed following the acceptance of t
constitution, which is being drafted at this m
The presidency will be composed of Pr
Al-Bashir and Vice-Presidents Taha and Garang
they signed the Agreement in January 2005, the
put a few remaining issues, such as the size
armies, into the hands of the presidency. This
that a considerable amount of work remains to b
in the months ahead.

With the initialling of the agreemer
31 December 2004 and the signature of the
Agreement on 9 January 2005, the parties star
clock running on a demanding timetable that lay
road map to the implementation of the Ag
according to a number of fixed milestones.

By sticking to their commitment to sign
the parties have created a valuable political mo
that must be harnessed to keep implementation
forward on schedule through the pre-interim pe
to 9 July and into the interim period of the fo
six years. All of that means that both the par
the international community, which has helped
the period up to the Peace Agreement, have
very hard in order to sustain the momentum.
now almost one month into the six-month pre

period, and, of course, we cannot afford to lose any time in taking important decisions on implementation.

Moreover, the environment for implementation in both the pre-interim and interim periods contains risks and challenges. Some of these were mentioned by the Secretary-General in his report (S/2005/57). The need to provide political solutions to the problems in Darfur is one clear example, but there are many more. Those problems are bound to increase if there is delay or disappointment in slow implementation.

That is why we have already taken steps to avoid delay. We have prepared measures to support the parties in their implementation of the Agreement through planning and preparations carried out under the mandate of the United Nations Advance Mission in the Sudan (UNAMIS). We have had a functional mission headquarters on the ground for a number of months; we have developed detailed plans for the establishment of an institutional framework for the United Nations in south Sudan; there have been consultations and briefings with both the Government of the Sudan and the Sudan People's Liberation Movement (SPLM) on those issues since July last year; and the logistical and operational plan to deploy just over 10,000 troops for monitoring and verification has been developed in detail. The core of that consists of 750 military observers. They will have to carry out a difficult task in a wide area of 1,000 by 1,250 kilometres with very poor communications. Professional planning requires that they will have to be assisted by an enabling force of some 5,000 and a protection force of approximately 4,000, all included in a total number of 10,000 personnel. In the light of the circumstances, that is a relatively lean deployment. We are ready to send them to begin their work on the ground as soon as we have the necessary status of forces agreement.

I would like to express, on behalf of the Secretary-General, our thanks to the countries that have already committed troops to the intended peace support operation. That will make it possible for us to initiate the first phase of deployment as soon as we have the mandate and a status of forces agreement. None of the Member States that have responded positively to the Secretary-General's appeal with adequate capacities have been excluded.

If solutions are not found to the conflicts in Darfur and elsewhere in the Sudan, any peace support operation limited to south Sudan would be affected by the consequences of those conflicts. As has been said many times, peace in the Sudan is indivisible. Both President Al-Bashir and Chairman Garang have, time and again — in particular since the signing of the Peace Agreement — made clear that they understand that finding solutions to the conflict in Darfur and similar conflicts in other parts of the Sudan is now a clear objective for 2005. That underlines the importance of the national conference provided for in the Peace Agreement.

The indivisibility of peace in the Sudan also has consequences for the United Nations peace support operation. Resolutions 1556 (2004) and 1564 (2004) requested the Secretary-General to incorporate into the mission contingency planning for Darfur. That has been carried out in accordance with the Council's welcoming the lead role of the African Union in the search for political and security solutions to the conflict in Darfur. It is essential that the mandate for the future United Nations mission in the Sudan take account of all these efforts to achieve peace in Darfur so that we can see progress towards a sustainable solution through a well-fused and broadly supported strategy.

Earlier, I mentioned risks. One of them is that violence could return if the causes of the conflict are not addressed. To support the peace process and to render peace sustainable, it will not be enough to monitor the ceasefire and to help in avoiding breaches of the Agreement; it will also be necessary to help take away possible reasons for the parties to the Agreement to return to violence. And it will be necessary to remove the incentive for others in the Sudan to seek a solution to their problems through force. Those others could be people in other parts of the Sudan who feel oppressed, marginalized or neglected. That would apply to, for instance, groups in eastern Sudan, but also to the very poor and to tribes or other sections of the population that consider themselves discriminated against. They may feel that their expectations following the Peace Agreement are not being met. They may become frustrated, protest, mobilize constituencies and resort to violent action.

For all those reasons, it is important that the peace process be as comprehensive as possible. The report submitted to the Council by the Secretary-General therefore refers to, for example, demining so that farmers can till their land and children can play in

peace. It also refers to the disarmament and demobilization of combatants and to the reform of the security sector, which so far consists of both regular troops and members of paramilitary and militia groups.

The report also refers to the return and reintegration of displaced persons and refugees — 4 million of them — which must go hand in hand with the reintegration of demobilized soldiers and the provision of some kind of support to the local population that has stayed in the region and must share its resources — such as land and water — with the returnees. The reconstruction of destroyed infrastructure, the recovery of production capacity, the rehabilitation of social structures, reconciliation between former opponents, the reduction of poverty, reassurances that the population's basic needs will be met from now on: all of that is part of a comprehensive approach aimed at replacing ad hoc relief from the outside with sustainable development from within. That will require good economic and political governance, predominance of the rule of law, the reform of State institutions, a new constitution, the guaranteeing of human rights, further democratization, an all-inclusive national development policy and the attainment of the Millennium Development Goals, including for the poorest parts of the country. Not only peace, but also development, is indivisible. In a country where one in four children dies before the age of 5 — in south Sudan — there is not much chance for survival, let alone for the realization of people's expectations beyond a ceasefire and a peace agreement.

That is an enormous challenge for a nation that is rebuilding itself 50 years after having become independent following a long period of colonial rule. The people of the Sudan have to do all this, basically, themselves. It is their nation, their peace and their future, but they will have to be helped from outside. That is what they expect and we will have to meet that expectation.

As I have said, in order to render peace sustainable, the Government and the people of Sudan will have to choose a comprehensive approach. That means addressing all causes of conflict — none excluded — in a holistic and balanced way, avoiding new distortions. The peace support operation will have to follow the same pattern: comprehensive and balanced. It is not the task of the United Nations to carry out functions that can better be fulfilled by the Sudanese themselves. The support operation will have to be catalytic, not turnkey. That is why we are aiming at a relatively light footprint.

We intend to regularly reassess and review tasks and priorities in the light of changing circumstances through the years. We will have to show a clear awareness of the impact of all foreign activities on Sudanese society, boosting those with a positive impact, such as the use of local resources — including local manpower and womanpower in combination with capacity-building and training — while also avoiding negative consequences such the distortion of the local economy or the spread of HIV/AIDS.

A comprehensive approach does not require a completely new structure for the United Nations mission. On the contrary, many United Nations institutions, agencies, funds and programmes present in Sudan have developed a lot of expertise and have built an impressive capacity that should be used to its fullest extent, in a unified manner. Here, there must be common objectives, mutual consultation and coordination and no overlap of the mission with activities of the United Nations country team, but complementarity and cooperation. That is what the Secretary-General has emphasized in his report: a comprehensive and unified approach; peace and development, from the inside and as autochthonous as possible, that is, only facilitated — not managed — from the outside.

Let me conclude by citing the central recommendation of the Secretary-General in his report: that the Security Council, acting under chapter VI of the Charter, authorize the deployment of a multidimensional United Nations peace support operation with a mandate to assist the parties in achieving a sustainable peace in Sudan through its good offices, and in aspects of security, governance, humanitarian assistance and development.

The President (*spoke in French*): I thank Mr. Pronk for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.5120

Security Council

Sixtieth year

Provisional

5120th meeting

Tuesday, 8 February 2005, 10 a.m.

New York

President:	Mr. Adechi	(Benin)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
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	United States of America	Mr. Holliday

Agenda

Reports of the Secretary-General on the Sudan

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05-23161 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President (*spoke in French*): Pursuant to the invitation extended by the Council, I invite His Excellency Mr. Ali Othman Taha, First Vice-President of the Sudan, to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Ali Othman Taha.

Pursuant to the invitation extended by the Council, I invite His Excellency Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army, to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 39 of the Council's provisional rules of procedure.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. John Garang de Mabior.

Pursuant to the invitation extended by the Council, I invite His Excellency Mr. Baba Gana Kingibe, Special Representative of the Chairperson of the Commission of the African Union in the Sudan, to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 39 of the Council's provisional rules of procedure.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Baba Gana Kingibe.

The Security Council will now resume its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members have before them the following documents: report of the Secretary-General on the Sudan pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004) and paragraph 17 of Security Council resolution 1574 (2004), dated 4 February 2005, document S/2005/68; report of the Secretary-General on the Sudan submitted pursuant to Security Council resolutions 1547 (2004) and 1574 (2004), document S/2005/57; and photocopies of a letter dated 31 January 2005 from the Secretary-General addressed to the President of the Security Council, transmitting the English-language version of the report of the International Commission of Inquiry on Darfur, which will be issued under the symbol S/2005/60.

I shall now make a statement on behalf of the members of the Security Council.

We are honoured to recognize the presence of the Secretary-General at this important public meeting on the situation in the Sudan. Your presence among us, Mr. Secretary-General, demonstrates once again your sincere commitment to achieving a settlement of the conflict in the Sudan. I should add that this meeting is occurring on your initiative, and we thank you for that.

On behalf of the Security Council, I thank our guests, First Vice-President Ali Othman Taha and Mr. John Garang, for having accepted our invitation to come to New York for a direct and open discussion as key actors in the complex situation prevailing in the Republic of the Sudan at this critical stage of its development. I warmly welcome them.

I also welcome Ambassador Baba Gana Kingibe, the Special Representative of the Chairperson of the Commission of the African Union in the Sudan.

I further welcome the presence among us of Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan.

At the outset I would like to stress the commitment of the Council to the sovereignty, unity, independence and territorial integrity of the Sudan. No effort should be spared to help the Sudanese people regain their unity.

The 9 January signing of the north-south Comprehensive Peace Agreement was indeed a historic moment for the Sudan. Vice-President Taha and Mr. Garang, we highly appreciate your invaluable role in the achievement of that Agreement. We congratulate all parties that contributed to the successful completion of the Naivasha negotiation process, in particular the Intergovernmental Authority on Development (IGAD) for its constructive mediation. The Council believes that every effort should be made to maintain the present momentum and to implement the

Comprehensive Peace Agreement so as to achieve genuine national reconciliation. We welcome the speedy ratification of the Agreement by the Sudanese National Assembly.

This is a moment of great opportunity. All the people of the Sudan should take advantage of this opportunity to set the country on the path towards a firm and lasting peace. It is of the utmost importance that all the parties be determined to implement the Comprehensive Peace Agreement in good faith. We stress the need for all parties to act in such a way as to promote genuine national ownership of the peace process.

The Security Council welcomes the sense of ownership demonstrated by the Sudanese parties in the achievement of the Comprehensive Peace Agreement. The Council expects them to demonstrate the same sense of ownership in its implementation.

For its part, the Security Council is fully aware of the great responsibility that the international community must assume in helping the Sudanese parties to remain on their chosen path. The Council is determined to take appropriate measures to encourage the international community to support and consolidate the peace process and to enable it to play its role.

The Council has already called for reconstruction and development assistance, in particular by endorsing the initiative of the Government of Norway to convene a donors conference in Oslo to address the issue of the mobilization of resources to this end, provided that the parties fulfil all of their commitments.

In the same spirit, Council members are starting work on a draft resolution with a view to thoroughly addressing all aspects of the situation in the Sudan, in particular to determining ways and means of establishing a United Nations peace support operation to help implement the Comprehensive Peace Agreement. The peacekeeping operation, to be established under Chapter VI of the Charter, would be an integrated mission with a wide range of components designed to meet the current needs of the Sudan. It would play a vital role in helping to promote national reconciliation.

The Security Council remains deeply concerned about the situation in Darfur. Every effort must be made to optimize the positive impact that we expect the north-south Peace Agreement to have on the conflict in Darfur. We urge all the parties to work towards a comprehensive and lasting political settlement and, in particular, rapidly to adopt a declaration of principles, in order to put an end to the ongoing conflict as quickly as possible.

The Council expresses its disapproval with regard to the ceasefire violations and the continuing acts of violence in Darfur, particularly those reported in recent weeks. It reaffirms the commitments undertaken by the parties to the N'djamena Ceasefire Agreement of 8 April and the Abuja Protocols of 9 November. The continuing violations of these binding agreements seriously call into question the parties' commitment to finding a peaceful solution to the crisis.

The continuing attacks on civilians, the targeting of humanitarian workers and the attacks against African Union observers are absolutely unacceptable. It is essential to put an end to such attacks and ensure that they do not recur. We urge the Sudanese authorities at all levels, as well as all the rebels, to fully comply with the demands set forth in Security Council resolutions 1556 (2004), 1564 (2004) and 1574 (2004).

Council members are appalled by the serious crimes committed in Darfur in violation of international law, described in the report of the International Commission of Inquiry. We call on all the parties to put an immediate end to the violence and to attacks against civilians. The Council condemns unreservedly the serious violations of international human rights law and international humanitarian law committed in Darfur. The Council is determined to tackle impunity and to bring the perpetrators of those crimes to justice.

The Security Council again underscores the vital role that human rights monitors play in Darfur. We are firmly convinced that measures must be taken to rapidly increase the number of monitors and to establish a system for documenting and addressing abuses. Given the range of United Nations agencies involved in protection activities, the Council believes that the Special Representative of the Secretary-General must direct and coordinate such activities in a vigorous manner.

The Council unreservedly endorses the constructive and crucial role that the African Union continues to play in the efforts of the international community to put an end to the terrible conflict in

Darfur. The African Union mission in Darfur must confront very difficult circumstances to ensure its military protection and observer role on the ground. Its ongoing participation and commitment, as well as the political role that it is playing in facilitating the negotiations in Abuja, are of the utmost importance. We continue to offer the African Union our fullest support in that regard.

The members of the Security Council support the Secretary-General's recommendation that the United Nations mission under consideration cooperate with the African Union, support its efforts and promote and support efforts to resolve the ongoing conflicts in the Sudan, especially in Darfur, in close collaboration with the African Union. The mission must strengthen the comprehensive role that the African Union is playing in the Sudan.

We encourage international donors to further support the African Union's efforts, as appropriate. The Council stands ready to support arrangements which might allow the United Nations mission to provide the logistical and administrative support that the African Union may require. The Council hopes the United Nations operation and the African Union mission in Darfur will liaise closely with each other. Both parties should contribute to the establishment of a strong, cooperative relationship.

I would like to thank Mr. Kingibe, Special Representative of the Chairperson of the Commission of the African Union in the Sudan, and his team for their commitment and offer them our encouragement. We urge them to do their utmost to optimize coordination with the United Nations mission on the ground.

The Council calls on all the parties to cooperate fully with the African Union mission with a view to ensuring its freedom of movement and safety in all areas of Darfur.

In the absence of political progress, the situation in Darfur can only further deteriorate. Such a further deterioration would be in no one's interest, as it could jeopardize the implementation of the Comprehensive Peace Agreement and put the future of the country at great risk. We urge all the parties to resume the Abuja talks in good faith.

The Council welcomes the decision of the Government of the Sudan to appoint Vice-President Taha as leader of its negotiating team in Abuja. We urge Vice-President Taha to assume that new responsibility with the same determination that he demonstrated during the north-south negotiations. We also call on Mr. Garang to use all of his influence in Darfur to ensure speedy progress in the Abuja talks.

I give the floor to the First Vice-President of the Sudan, His Excellency Mr. Ali Othman Taha.

Mr. Taha (Sudan) (*spoke in Arabic*): I should like to begin by thanking you, Mr. President, and the Council for having invited me to attend this important meeting on the Sudan. I would also like to thank the Council for the interest that it has shown in the question of peace in the Sudan, which prompted the Council to hold a historic meeting in Nairobi last year to encourage the Government of the Sudan and the Sudan People's Liberation Movement (SPLM/A) to put the final touches to the Comprehensive Peace Agreement and to complete the negotiations by the end of last year.

In that meeting in Nairobi, declared the Government's determination to complete the negotiations and to arrive at a comprehensive peace agreement by the end of the year. So did my brother, Mr. John Garang, the Chairman of the SPLM/A. Earlier this year, we actually celebrated the signing of the Comprehensive Peace Agreement, which was endorsed by the legislative institutions. Actual implementation of the Agreement began in accordance with the agreed timetable for the initial stage, thus opening a new chapter of the Sudan's history.

In this context, I would like to inform the Council that we have officially deposited the Agreement document with the Security Council. Also, I would like to welcome the report of the Secretary-General, which is the subject of this meeting. With regard to the upcoming peace support mission, the report is professional and objective. We would like to assure the Council of our continued cooperation with the Organization and of our readiness to discuss the details of the mission, in accordance with the provisions of the Comprehensive Peace Agreement.

In its historic meetings on 18 and 19 November 2004, the Security Council called on the international community to provide assistance for the implementation of the Agreement soon after its signature and entry into force. In the same meetings, the Council declared its commitment to provide

assistance to the people of the Sudan as soon as the Comprehensive Peace Agreement is signed, to help with the efforts aimed at building a unified and peaceful nation living in prosperity, it being understood that both parties would have to honour their agreed commitments in full. This Council also urged the joint assessment mission to speedily complete its work, including determining the assistance needed for reconstruction and economic development, writing off debts and pursuing trade activities soon after the signature and entry into force of the Comprehensive Peace Agreement.

The Agreement has been signed, and its implementation is currently under way. So are the efforts to assess the needs of the Sudan. The Government of Norway, to whom we owe our thanks, called for the convening of a donors conference for reconstruction and economic development in the Sudan. Here in the Council, I would like to call on the international community to support efforts aimed at reconstruction and development so that the people of the Sudan will enjoy the peace dividend and reap the benefits accrued therefrom, which will make peace both sustainable and permanent.

I appeal to the Security Council to call on all countries to undertake the following measures. First, lift any economic and trade restrictions or sanctions that obstruct reconstruction, development and investment efforts, and initiate an active partnership with the Sudan. Secondly, completely write off foreign debt owed by the Government of the Sudan to international institutions and States, so that we in the Sudan can channel our resources into providing social services to our citizens, build our infrastructure, improve the capabilities of our citizens and institutions, fight poverty and increase our growth levels in accordance with the Millennium Development Goals. Thirdly, donate generously at the upcoming donors conference to get the economic development process and the desired comprehensive growth under way.

My country has suffered from the scourge of war for so long, and we are determined, through the Government of National Unity, to bring about a real change on the ground so as to realize our reconstruction goals, development and unity. A prosperous Sudan, at peace with itself and its neighbours, is good for the region, for the continent and for the world at large. I am confident that this Council and the international community will spare no effort to assist the people of the Sudan in the realization of this noble objective.

The Agreement that was signed on 9 January 2005 in Nairobi is comprehensive. While addressing the root causes of the protracted conflict between northern and southern Sudan, the Agreement does not ignore issues that are germane to the cause of the country as a whole — namely, the fact that the Sudan is a large, multi-ethnic, multireligious and multicultural country — or weaken its infrastructure, which has suffered imbalances in its development and services because of the conditions of war and embargo.

The Agreement addresses these aspects for the whole of the Sudan in that it, first of all, lays the ground for a political system that considers citizenship the basis for rights and duties, commits to international human rights instruments, and recognizes diversity and deems it a source of strength and a basis for unity. Secondly, the Agreement establishes a democratic rule, dedicated to justice, the rule of law and good governance, in which the Sudan will be governed on a decentralized basis, with power-sharing arrangements between the centre, the State and local government, in accordance with a constitutional regime defining and regulating these powers. Thirdly, the financial resources of the country are fairly divided in a manner that took into account the differences in the level of development, services and imbalances resulting from the war among the different states.

The Comprehensive Peace Agreement and the just and fair provisions included therein for power-sharing and wealth-sharing has laid the necessary foundation for a political and developmental solution to the war in Darfur and for a comprehensive peace to prevail throughout the Sudan — in the eastern and middle parts, in the north and in all of its constituent parts.

I have just returned from Darfur, where I had the chance to witness firsthand the situation, which I discussed with the citizens and the officials in the different states of Darfur. My visit has convinced me even more of the need to arrive at a political solution that will end the war and alleviate the suffering of our people there. His Excellency the President of the Republic recently entrusted me with the Darfur file. I would like to assure the Security Council that the Government is determined to pursue the course of

settlement and that our resolve, patience, perseverance and seriousness that led us to arrive at the Comprehensive Peace Agreement in Naivasha+ will remain with us until we end the hostilities in Darfur and declare the year 2005 a year for peace for the Sudan — a comprehensive peace, God willing.

On the basis of the mission personally entrusted to me by the President of the Republic and of the Government's commitment to finding a political and sustainable solution to the problem, I should like to submit to the Council our vision for speedy negotiations to swiftly put an end to the suffering of the people of Darfur.

I shall begin with the humanitarian sector. Through it words and its actions, the Government has demonstrated its readiness to devote full attention to that sector. The Government made great strides in concluding agreements with the United Nations and with armed groups in Darfur aimed at facilitating urgent relief measures for those adversely affected by the unfortunate events that have taken place in past months. The Government has made serious efforts to remove all obstacles facing humanitarian work, whether undertaken by United Nations agencies or by non-governmental organizations. Those efforts have sometimes been strained by a lack of adequate international financing for relief efforts, at other times by adverse weather or Darfur's weak infrastructure, and often by security failures resulting from armed groups' lack of commitment to the ceasefire. However, regardless of the reasons why humanitarian relief efforts have sometimes been obstructed, I should like to assure the Council and the rest of the international community of our strict commitment to our pledge in this regard and our consistent readiness to discuss, negotiate and enact any new measures that should be undertaken to overcome the obstacles we face.

I turn next to the security sector. Despite the improvement in that sector in comparison with the period during which the situation drastically deteriorated, the Government believes that the security situation could see further improvement should the following conditions materialize.

First, the authority, capacities and forces of the African Union should be enhanced — financially and operationally — so that it can complete its deployment and undertake the tasks of monitoring the ceasefire and putting an end to the security incursions that have cast a long shadow over humanitarian efforts and efforts to achieve a peaceful political settlement.

Secondly, disarmament programmes should be undertaken immediately, since they are a primary factor in the re-establishment of peace and security in Darfur. That can take place as soon as the ceasefire is respected. The Government, for its part, will undertake specific projects in that regard, benefiting from the experiences of other countries, such as promoting development in exchange for weapons. However, an effective disarmament process will require financial and technical support from the international community and a higher degree of commitment than that currently displayed by the armed groups in Darfur.

Thirdly, we must fully open the way for relief efforts and facilitate the movement of citizens inside Darfur so as to help promote normal social and economic activity, which in turn will have positive effects on the normalization of life and advance the cause of peace.

Fourthly, human rights violations and other crimes in Darfur must be investigated and the perpetrators must be punished so that peace can prevail and a peace settlement can be achieved. The Government has in fact begun to implement the recommendations of the Independent Investigation Committee established by presidential decree in May 2004 to investigate the events and human rights violations in Darfur, on which the Council has already been briefed. Emphasizing the seriousness with which it regards the Committee's recommendations, the Government has established a Judicial Inquiry Committee, chaired by a justice of the supreme court, at the end of January to investigate those crimes and violations and punish the perpetrators. In that regard, we have read the recent report of the International Commission of Inquiry and have already distributed to delegations our comments concerning some of the aspects of the report and its recommendations. We hope that members will consider our comments objectively. We are fully confident that the recommendations of the report of the national Committee will achieve precisely the results called for in the report of the International Commission. The Government established the Independent Committee as a reflection of the national will: we attach importance to the principles of accountability, the administration of justice and an end to impunity.

Fifthly, the repercussions of general human rights violations and of other abuses not attributed to individuals named in the report must be addressed.

Sixthly, detainees in Darfur who were not indicted or proved guilty of crimes specified under the law must be released. That is a measure that has already been undertaken by the Government.

Realizing the principle of accountability and bringing to justice those accused of committing crimes should not divert our attention from the need to achieve peace first by putting an end to all hostilities, guaranteeing full commitment to the ceasefire and reaching the peaceful settlement that we seek. Here, we are committed to moving the Abuja negotiations forward as soon as possible. We are also fully committed to finding a just political settlement.

I turn next to the economic and social sector. A total solution to the problems in Darfur cannot be achieved without enhancing the basis for peaceful coexistence among members of the population. Better still, we should move from peaceful coexistence to interdependence and cooperation among various groups. Historically, these have been a hallmark of Darfur and a guaranteed formula for constructive coexistence within society. The Government's plan to restore that stability is based on the following steps.

First, relations among the population must be reorganized on the basis of measures and agreements linked to Darfur's heritage and guided by the requirements of modern development within the structures of the State and society. Such measures and agreements include organizing land ownership and employing modern civil concepts and mechanisms to enhance understanding and settle local disputes.

Secondly, emigrants and refugees must be repatriated and returned to their villages and the social and economic infrastructure must be rehabilitated in order to ensure that they remain in their home regions.

Thirdly, grievances must be addressed, damages assessed and steps taken to address those damages. In that regard, the Government has already established a new commission, headed by a Supreme Court justice, to determine the losses and evaluate the required reparations.

Fourthly, short- and medium-term rehabilitation and development projects must be prepared and implemented, in agreement with the donors and the international community. We referred to that need at the Security Council meeting held in Nairobi in November in the context of the joint assessment mission, which will submit the Sudan document to the donors conference in Oslo in April. I should like today to reiterate my call on the countries of the world to support those efforts at the donors conference.

Fifthly, with respect to the political sector, the Government of the Sudan believes that none of the aforementioned measures and steps can succeed without a radical political settlement. The Government, in negotiating with the Sudan People's Liberation Movement (SPLM), has already demonstrated its unprecedented determination, in the context of the history of the crisis in our country, constructively and creatively to address the issue of the political settlement.

In that respect, I should like to stress that the basic principles endorsed by the Government and in the 1998 Constitution and the Peace Agreement signed with the SPLM on 9 January represent the Government's firm belief in and commitment to applying them to all States of the Sudan, be they in the South, the North, the East, the West or the centre. The Government is prepared to undertake the final settlement on the basis of those principles once the details and mechanisms have been agreed through negotiations with the armed groups in Darfur. I should now like briefly to summarize those principles.

First, a formula for an advanced federal system of Government, the most appropriate kind for the Sudanese States, should be adopted. For the Government, that would entail the adoption of a constitution for each State, to be superceded only by the national constitution endorsed in the Nairobi Peace Agreement. In the context of the relationship between the State and national constitutions, the States shall enjoy the following authorities. First, they shall receive expanded political and economic powers, the details of which shall be agreed upon at a later date. The Peace Agreement with the South highlights and defines those powers. States are to enjoy the freedom of political and economic decision-making in the context of decentralized rule. Secondly, the executive and legislative organs of each State shall be chosen on the basis of free and general elections and of open competition among political actors. Thirdly, the States shall enjoy equitable participation in the legislative and political structures of the central authority. Fourthly, an

independent judiciary shall be established. Fifthly, an independent and active civil service shall be created.

Secondly, the cultural and social plurality of the Sudan is a positive asset that, with the restoration of political and social stability, could be used to achieve a unique unity based on pluralism.

Thirdly, we must find an equitable formula for sharing wealth in a way that will allow each and every State to receive its fair share. We can arrive at that formula through the Agreement on Wealth Sharing signed in Naivasha with the SPLM.

Fourthly, a commission for development and reconstruction must be established to address immediate and long-term development needs and to allocate a budget from the central revenues of the State and the contributions of donors.

The perpetuation of the status quo in Darfur — be it through prevarication in the negotiations, the delayed achievement of a settlement or a loss of focus on the need to find a genuine solution — will exacerbate the problem. My message to the Security Council and to the international community is based on our sincere and honest desire to outline the parameters of a real settlement of the crisis and our commitment to defining, negotiating and achieving a political solution.

The vision that I have described is based on our belief that the problem must be solved in the context of affirming the principles of democracy, decentralization, good governance and equal rights — principles that we all share. In that context, we are aware of the great role to be played by the international community, and which it must play through the African Union, as agreed. We welcome the efforts that have been made in that regard, be they in the sponsorship, witnessing or guaranteeing of agreements or in the follow-up to their implementation. We also welcome and request all financial and technical support for advancing our efforts.

In conclusion, the Government of the Sudan reiterates its thanks and appreciation to the Security Council and the international community, as well as to the specialized agencies of the United Nations, in particular the United Nations Advance Mission in Sudan headed by Mr. Jan Pronk, for their efforts to define a working vision. The Mission will find us, as always, ready to cooperate in the achievement of its mandate. We look forward to the Council's constructive support and understanding as the Government strives to meet its commitments in full and in a way that will contribute to establishing the urgently-needed, comprehensive and permanent peace throughout the Sudan — in the South, the North, the West, Darfur, the East and the centre.

The President (*spoke in French*): I now give the floor to the Chairman of the Sudan People's Liberation Movement/Army, Mr. John Garang de Mabior.

Mr. Garang de Mabior: First, let me thank you, Sir, and this world body, the Security Council, for inviting me to this meeting. I would also like to thank the Council for coming to Nairobi last November, which contributed positively to the achievement of peace in our country. We — the Sudan People's Liberation Movement (SPLM) and the Government of the Sudan — promised the Council and the Sudanese people that we would deliver a Christmas and new year's present in the form of comprehensive peace, and we did precisely that. We are grateful to the Council and to all those who facilitated the signing of the Comprehensive Peace Agreement.

The Agreement we signed on 9 January 2005 ushered in a new era in the history of the Sudan, the region and Africa. It took the parties 10 years under the mediation of the Inter-Governmental Authority on Development (IGAD) — from the time when the Declaration of Principles was issued, in 1994, and the Machakos Framework Agreement was reached, in July 2002, to the holding of intensive negotiations at Naivasha, where Ali Othman Taha and myself sat for 16 months, from September 2003 to the end of December 2004 — for the final Peace Agreement to be reached. The Comprehensive Peace Agreement is a truly Sudanese product, which was facilitated by an African regional mediation effort by the countries of IGAD, namely, Kenya, Uganda, Ethiopia and Eritrea, with facilitation by the international community, and especially the troika countries of the United States, the United Kingdom and Norway, in addition to Italy, the Netherlands and other countries. We were not surprised, but we are delighted by out people's outpouring of overwhelming support for the Comprehensive Peace Agreement.

Accordingly, the SPLM National Liberation Council, which is the Movement's highest legislative body, unanimously ratified the Comprehensive Peace Agreement on 24 January 2005, after two days of

deliberations in Rumbek. The Government's National Assembly also unanimously ratified the Comprehensive Peace Agreement, on 1 February 2005. In that regard, I wish to declare, on behalf of the parties and the people of the Sudan, that we are proud of that achievement and that we have national ownership of the Agreement. That is why, in the general and fundamental provisions of the ceasefire arrangements component of the Comprehensive Peace Agreement, we said that

> "The parties agree that the national ownership of the peace process, political will and continuous dialogue are indispensable elements for sustainable peace. They shall collaborate to observe and respect the ceasefire and resort to their own wisdom to contain and solve any problem that may arise."

In preparing to implement the Comprehensive Peace Agreement, the Sudan People's Liberation Movement/Army (SPLM/A) has established several committees to work out mechanisms to transform its various organs from organs of guerrilla warfare and armed opposition to institutions of good governance. We are also holding discussions with the Government of the Sudan so that, soon after our current visit to the Security Council, the SPLM will send advance teams to Khartoum, Juba, Malakal, Wau, Kadugli, Damazien and Abyei — the areas specified in the Agreement — for ease of coordination of the implementation of the Comprehensive Peace Agreement and so that we do not have to communicate far from each other.

Both the Government of the Sudan and the SPLM are also currently evaluating the drafts of their respective joint assessment missions. A final joint document will soon be ready for presentation to the donors conference in Oslo, hopefully next month. We are also working jointly to produce an initial draft of the interim national constitution, in consultation with other political forces in the country and with civil society groups. That draft will be presented to the 60-member, all-inclusive National Constitutional Review Commission for discussion, further development and eventual adoption by the SPLM National Liberation Council and the Government of the Sudan's National Assembly, hopefully within the next six weeks. It is the interim national constitution that will constitute the necessary constitutional instrument to launch the Government of National Unity, the government of southern Sudan and the other structures stipulated in the Comprehensive Peace Agreement.

I would like to avail myself of this opportunity to call on the international community to contribute generously at the Oslo donors conference. When the Security Council met at Nairobi, I appealed to the international community through the Council to contribute generously and to fulfil its obligations at the donors conference.

Clearly, the Comprehensive Peace Agreement presents many challenges and opportunities for the Sudan, the region, Africa and the world at large. The Comprehensive Peace Agreement has to be translated into real and tangible benefits. Refugees and internally displaced persons are already moving to their respective homes in southern Sudan, the Nuba Mountains, the Blue Nile region and Abyei — before the necessary minimum social amenities are put in place. That is creating further distress for the host communities, which already find themselves in a fragile situation. I take the opportunity of my visit to the Security Council to call upon, and urge, the international community to act speedily to help us with the enormous tasks of the voluntary return, reintegration and rehabilitation of returning refugees and internally displaced persons. The parties in general, and especially the SPLM, need a great deal of assistance to enable them to fulfil their obligations and to continue to fully own and implement the Comprehensive Peace Agreement.

With respect to the United Nations peace support mission for the Sudan, I would like to say that the SPLM welcomes, and supports in principle, the deployment of a United Nations peace support mission to the Sudan, as requested by the parties in the Comprehensive Peace Agreement. In that context, I would ask that a representative of the SPLM be placed here so that we can discuss the details of the peace support mission for the Sudan and so that we can contribute ideas, as we said in the Comprehensive Peace Agreement when we requested the United Nations to

> "constitute a lean, effective, sustainable and affordable United Nations peace support mission to monitor and verify this Agreement and to support the implementation of the Comprehensive Peace Agreement as provided for under Chapter VI of the United Nations Charter".

There are also many other issues on which we will need to discuss and coordinate, such as the size of the force and which countries will contribute.

In general, and in terms of the overall implementation of the Comprehensive Peace Agreement, we need to have a common concept of the process. The United Nations is not alone on this issue. In the endeavours to monitor and verify compliance by the parties with their commitments under the Comprehensive Peace Agreement, we see the United Nations acting in concert with other players within the framework of the assessment and evaluation commission, as stipulated in the Peace Agreement. Those are details that we would like to discuss with the Council if we leave a delegation here at the United Nations.

Also in that connection, on the issue of the United Nations peace support operation in the Sudan, I want to point out that we, the Sudanese, have ourselves voluntarily negotiated a unique Comprehensive Peace Agreement, which prescribes, for lack of better terminology, a one-country/two-systems model during the six years of the interim period, at the end of which the people of southern Sudan and Abyei will exercise the right of self-determination to choose between remaining in a new and united Sudan and opting out, for an independent southern Sudan. We believe that this is the best way to achieve justice and equality for all Sudanese, irrespective of whether they are of Arab or African origin, whether they are Muslims or Christians: through voluntary union. And we believe that we will achieve that goal if we implement the Comprehensive Peace Agreement and if we work in partnership as Sudanese.

I am aware that the United Nations system is naturally used to dealing with States, under a one-country/one-system model. But the one-country/two-systems model that we have negotiated in the Comprehensive Peace Agreement, to which the United Nations was a witness at the signing ceremony in Nairobi on 9 January, is the will of the Sudanese people. I appeal to the United Nations system to respect that and to reflect it in all its dealings with the Government of National Unity and with the government of southern Sudan, without prejudice to the unity and sovereignty of the Sudan.

Thirdly, I want briefly to talk about peace in Darfur and in eastern Sudan. The conflict in Darfur is old; it did not start in 2003, as some reports appear to indicate. It also did not come about because the armed opposition in Darfur felt left out in the IGAD/Naivasha peace process. The conflict in Darfur goes back to the 1980s, before the present Government came to power — and even before that. But this is not the time or the place to talk about the history and background of the conflict in Darfur.

When conflict intensified in Darfur at the end of 2002, the SPLM wasted no time in declaring that the pursuit of military victory by either side would be futile and would only escalate the conflict, and that the Government of the Sudan and the armed opposition in Darfur should seek a peaceful, negotiated political settlement in the shortest time possible. Events since then have vindicated our position, which we wish to reiterate again today. The SPLM, having recently concluded its own peace agreement with the Government of the Sudan, feels encouraged and optimistic that the Comprehensive Peace Agreement will enhance the chances of a peaceful resolution in Darfur and eastern Sudan.

First and foremost, an atmosphere sufficiently conducive to constructive dialogue between the Government of the Sudan and the armed opposition must be created. The parties ought to abide fully by their commitment to cease hostilities. The Janjaweed militias should be reined in, and those among them who are eventually proven to have committed serious crimes or atrocities should be punished — after peace is achieved in Darfur, not before, as that would be putting the cart before the horse, in which case neither the cart nor the horse will move and neither will go anywhere.

Although the SPLM is not part of the current Government of the Sudan — and is also not a part of the Darfur armed opposition — we have a moral and political obligation to assist the Sudan in achieving comprehensive peace. The SPLM stands ready to offer its help in finding a resolution of the conflicts in Darfur and in eastern Sudan. That assistance can come in two different forms. As co-architects of the Naivasha protocols and of the Comprehensive Peace Agreement, we would offer our views and suggestions on how elements of the protocols could be adapted to the Darfur situation in the framework of the Abuja forum, and eventually also to eastern Sudan under some forum acceptable to the parties. For that purpose of providing assistance, when I learned that I was

coming to New York, before coming here I passed through Kenya to consult with President Mwai Kibaki and through Addis Ababa to consult with Alpha Konaré, who holds the Darfur file for the African Union, and with Prime Minister Meles Zenawi. From there, I went to Asmara to consult with President Afwerki and all the Darfur groups: the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM), as well as with the Beja Congress and the Rashaida Free Lions of eastern Sudan. Finally, I came through Cairo, where I consulted with Minister Omar Suleiman, because the National Democratic Alliance (NDA) negotiations, including eastern Sudan, are under Egyptian mediation.

As a result of those consultations and my knowledge of the situation, I am encouraged to believe that the Comprehensive Peace Agreement can be successfully applied and adapted to the conflicts in Darfur and eastern Sudan so that a comprehensive peace agreement may be achieved for the whole of the Sudan. I believe that the first step would be for the parties to agree in principle — and preferably even commit themselves in front of the Security Council — to accept the Comprehensive Peace Agreement as the basis for resolving the conflicts in Darfur and eastern Sudan, and perhaps also to commit themselves to a deadline for reaching agreement, as we did in November 2004. The parties could then negotiate the details on autonomy and self-government for those areas, on power-sharing, on wealth-sharing and on security arrangements. The SPLM could assist them in working out those details. Whatever permutations can be made with respect to those parameters — autonomy, power-sharing, wealth-sharing and security arrangements — and that would bring peace to the Sudan and keep the country united would be a necessary price to be paid by all the parties.

That is the first aspect of the assistance that we can give. On the military and security side, the SPLM could help contribute to the further stabilization of the security situation in Darfur and to the protection of civilians, if asked by parties to the conflict in that region or by the international community with the agreement of the parties. Last September, when I came to New York and met the Secretary-General, I offered the suggestion that a tripartite stabilization force for Darfur, consisting of 10,000 troops from the Government of the Sudan, 10,000 troops from the SPLA and 10,000 troops from the African Union, all with international logistics and other support, would provide an adequate neutral and robust force for the security stabilization of Darfur and the protection of civilians, and thus for the creation of the necessary environment conducive to negotiations and to the reaching of a comprehensive peace agreement.

Now that we have signed the Comprehensive Peace Agreement with the Government of the Sudan, that offer makes even more sense, and I wish to renew the offer for consideration by all concerned.

As mentioned earlier, and despite what remains a grim picture in Darfur, there is reason to believe — and I am optimistic — that the Comprehensive Peace Agreement signed on 9 January has now considerably improved prospects for the resolution of the Darfur conflict and of the conflict in eastern Sudan. The possibilities created by the Comprehensive Peace Agreement should therefore be fully exploited in terms of finding a fair and just political settlement before the international community resorts to other measures.

Finally, I should like to alert this world body regarding a linkage that is sometimes made between implementation of the Comprehensive Peace Agreement and resolution of the conflict in Darfur. Some people even go to the extent of saying that there will be no peace dividend for southern Sudan or other areas covered by the Comprehensive Peace Agreement unless the conflict in Darfur is resolved. That position is flawed and counterproductive. First, it punishes two victims of the conflict: southern Sudan and Darfur. It is also morally wrong, as well as politically inapt.

Secondly, the logical consequence of that position is that the situation in the south, the Nuba Mountains, the Blue Nile and Abyei to drift back towards war, thereby combining with the present desperate situation in Darfur and the situation brewing in eastern Sudan. That would lead to a scenario of a failed State in the Sudan — the very scenario we wanted to avoid in the first place by signing the Comprehensive Peace Agreement.

In war, as in other areas of activity, often the best course of action is to reinforce success. The correct and prudent course of action is therefore to implement the Comprehensive Peace Agreement while at the same time searching for a fair and just political settlement for Darfur and eastern Sudan. Waiting for a solution to Darfur before implementation of the Comprehensive Peace Agreement would surely lead to a serious

disaster — not only for the Sudan, but also for the rest of the region and beyond. We strongly advise against such a linkage.

Once more I thank the Council profusely for inviting me to address this world body. I hope the points covered in my few remarks were useful to members and will be useful in achieving a fair, just and comprehensive political settlement in Darfur and eastern Sudan so that we will have comprehensive peace throughout the Sudan and so that we can enter a new era of peace, stability and development.

The President (*spoke in French*): I thank Mr. John Garang de Mabior for his statement.

In accordance with the understanding reached in prior consultations, and under rule 39 of the Council's provisional rules of procedure, I give the floor to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and head of the peace support operation.

Mr. Pronk: Last Friday I was able to introduce the report (S/2005/57) before the Council relating to the Comprehensive Peace Agreement between the north and the south (see S/PV.5119). In that report and in my introduction, Vice-President Taha and Mr. Garang were congratulated on that great achievement. A number of suggestions are also made with regard to carrying out the mandate of the United Nations mission foreseen to carry out the tasks the parties envisioned for the United Nations in the peace agreement.

Today I would like to confine myself to the second report (S/2005/68), which is before the Council; the report on Darfur. Members will remember that half a year ago the Council adopted its first resolution on Darfur, resolution 1556 (2004). Since then, monthly reports have been submitted to the Council on the progress, or lack thereof, regarding security and the humanitarian situation in Darfur, and regarding the political talks. After half a year, it is appropriate to look back and try to review and evaluate the present situation in the longer-term perspective. That has been done in the report. I would like first to summarize the findings.

Over the past six months, performance by the Government of the Sudan in complying with its commitments and obligations has been uneven. Humanitarian access in Darfur has improved due to the lifting last summer of restrictions on the delivery of humanitarian assistance. However, action on human rights, in particular measures to end impunity, have fallen short of what the Government agreed to and what the Security Council has demanded. The Government has shown willingness to make progress in the political talks on Darfur. However, fighting on the ground continues and the ceasefire has not been kept. Those responsible for atrocious crimes on a massive scale still go unpunished. Militias continue to attack, claiming that they are not party to any agreement. The Government has not stopped them.

Over this period, the rebel movements have become less cooperative in the talks. They too have breached the ceasefire time and again. Their attacks on police increased and often seemed intended to invite retaliation. Those attacks and provocations have, at times, impaired humanitarian access. Later, the attacks on the police diminished. However, some rebel groups have impeded humanitarian work by looting cars and trucks and by putting pressure on, or even abducting, national staff of humanitarian organizations. Many of those actions have severely reduced delivery of assistance. The number of civilians affected by conflict has continued to grow at a rate that has outpaced the ability of humanitarian agencies to provide for all of their basic needs. Inability to reach those in need is due, in large part, to the fighting, but it is due also to rising banditry and to interference from armed forces on both sides. Humanitarian workers are increasingly subjected to threats and intimidation by forces from both sides, in addition to facing random danger from military action, banditry and armed robbery. This is a dismal picture.

Undoubtedly, the situation is not as bad as during the first half of 2004, when large-scale killing and mass displacements took place. Undoubtedly, the Government has kept quite a few of its promises. Pressure from the international community and the presence on the ground of African Union military observers have had some effect, but not enough.

What is the reason for this stalemate? Have we not done enough? Did we do the wrong things? Or is the conflict so complicated that reaching peace requires much more time? The conflict in Darfur is very complicated. It has political, economic, environmental and cultural dimensions. It is more than a civil war between a Government and rebel movements. It also encompasses a multitude of tribal conflicts — inter-

tribal, as well as intra-tribal and clan fights. It certainly has some of the characteristics of a confrontation between Arabs and Africans. History has seen that confrontation flare up more than once. But it is also a struggle for survival between economic lifestyles — peasants and nomads — and the borderline between those two is not the same as that between Arabs and Africans. The economic struggle has environmental dimensions. There is population pressure and economic pressure — related to cattle raising, for instance — and competition for ever scarcer resources, such as land and water.

To that extent, the Darfur conflict is not new. The economic struggle is age-old, and the cultural clashes in Darfur are likewise. It has some of the characteristics of a class conflict, with age-old rulers who claim to own their servants, whom they consider to be inferior. It is not a confrontation between religions, but fundamentalist religious groups have severely exacerbated the conflict. It is also a political conflict between elites and the deprived, between traditional leaders and the new generation contesting their authority, between leaders who arose from within their communities and an administration that has been appointed by the State in an effort to modernize administrative rule and to consolidate power.

The conflict in Darfur is also the result of a failure to ground the Sudanese State — which came into being after independence from colonial rule — in the democratic thrust of the whole nation. The Sudan is not a failed State — far from it. It is, as yet, a failed nation, or an adolescent nation, or many nations together in one huge territory, held together by force. The Darfur conflict resembles the conflict between north and south, the conflict in eastern Sudan — exposed last week in a violent eruption in Port Sudan — and the conflicts in the north, in Kordofan, and in central Sudan. All of these were economic, cultural, sometimes religious, sometimes ethnic or tribal, and resource-driven, as well as political. And all of these conflicts are compounded by power games and bad or less-than-democratic governance. No wonder that progress has come very slowly, if at all.

During the past six months, some progress has been made. But often it was like taking two steps forward and one step back, and often it was worse: one step forward, two back — a net regression. In my statement to the Council on the November report, I spoke about the risk of sliding back into lawlessness and anarchy. In December, the Government took matters into its own hands by declaring a road-clearing operation in south Darfur that took the character of an operation to cleanse the whole area — 20 kilometres to the left and to the right of the roads. One result was the breakdown of the talks. Another result was that the clearing operation generated a climate that made the militia that got involved feel that they could get away with murder — attacking villages on a large scale, openly declaring that they would not stop before having attacked all of them.

The Government did not stop them. Perhaps the Government lacked the capacity to do so. The militias are strong and well organized, and there seems to be a sort of invisible hand behind their actions. There are forces in the back in the Sudan — not inside the Government, yet powerful — that have the capacity to spread terror on the ground, waging war against innocent people, women and children, who are denounced as different and told to leave the places where they were born and live and never come back.

The Commission of Inquiry has come to the conclusion that it is not genocide. But the Commission has also concluded that the mass violations of human rights were no less serious than genocide. The Commission also stated that the atrocities that started in 2003, which it was entrusted to investigate, continued during the investigation period itself. That means that it will be difficult to declare that the wrongdoings are a thing of the past and that everything is different and better now. That is not the case at all. The mass killings have stopped, but the pattern has not changed: attack, counter-attack, collective punishment, retaliation and systematic violence — less between the combatants themselves than against the people.

During my visit to Darfur 10 days ago, I saw the dramatic consequences of the tribal or ethnic cleansing of dozens of villages carried out by the militia during the month of January. The cleansing has continued, carried out by third forces, and these have not been stopped. They can be stopped only by a third party force. After six months, we can only come to the conclusion that the Government has not stopped the violence; it has not brought the perpetrators of the violence — the instigators, not the petty combatants — to justice. After six months of going to and fro, we must conclude that there is a stalemate. We urgently need a breakthrough.

Any lasting solution requires political negotiations in good faith between the parties that are determined to represent the interests of the people, however different their perception of these interests may be. The good news is that the Government has shown a willingness to negotiate — toughly, but seriously — on the basis of principles concerning the sharing of power and wealth that resulted in the Naivasha Peace Agreement. The Government recently confirmed its commitment to such talks. President Al-Bashir and Vice-President Taha — again today — have made it quite clear that the objective is peace through negotiations, in Darfur and elsewhere in the Sudan.

The other good news is that quite a few leaders of the rebel movements really do care about the people whom they claim to represent. Undoubtedly, there are warlords among them; undoubtedly, they are divided among themselves for ideological, political and tribal reasons or because of the internal struggle for power. However, I have encountered rebel leaders who care. They are sceptical and full of mistrust, but they care about their people. That is the basis for serious talk.

In my previous presentation to the Council, I made a number of proposals to render the talks more effective, for instance by delinking the security talks from the political ones and by strengthening the powers of the ceasefire institutions. I call on the parties to study seriously such proposals or to find other ways that guarantee that these talks get a serious chance to succeed.

There is more good news. The Comprehensive Peace Agreement between the north and the south has been signed and seems to be holding. That augurs well for an effort to extend its spirit to Darfur and to apply time, energy, experience and negotiating capacity to the Darfur conflict.

Finally, there is another piece of good news. The peace support force of the African Union (AU) is doing a good job. I have met highly professional military personnel who are dedicated to their mission, committed to assisting the victims of war, willing to be proactive and to take risks, not staying in their barracks or behind their desks noting and reporting what has gone wrong, but going out in order to prevent things from getting worse. The troops sent by the African Union are so good that we need many more of them.

Members of the Council will remember that I have more than once referred to the need to deploy a robust third party force — big, broad and quick. The mandate of the AU force is broad enough, and its interpretation by the commanders on the ground is flexible and creative. But the force is not big enough, and its deployment is too slow. Even if we had all the planned troops on the ground in Darfur towards the end of February, it would not be sufficient to stop the violence. We need a robust third party force from outside to stop a ruthless third force from within. We need them in any area where violence has taken place and where violence may erupt. I repeat what I said last month: we need them in and around all camps of displaced people — 1.5 million people, a huge number to protect — on all roads along which commercial, humanitarian and civilian transportation takes place, in all zones to be demilitarized, in all areas where the displaced and refugees will have to return in order to secure their lives, their land and their property. That is a huge task that requires a robust force — one that is trusted by the victims.

But protection by deterrence cannot be achieved by a force consisting of 1,000 or 3,000 military and police, however well qualified and dedicated they may be. We need many more, and we need them fast. Without them, political talks will continue to be frustrated by developments in the field, by manipulated insecurity and by violence that undermines the credibility of the negotiating parties. We will have to break through that vicious circle of violence on the ground, talks in jeopardy, renewed violence, breakdowns in talks and so on.

Quiet on the Darfur front can make that happen. I appeal to all parties concerned — the African Union, as well as members of the Security Council — to find a creative way to expand the present third party force into one that can stop all attacks.

Peace will take a long time. The Peace Agreement, followed by better governance, will not be sufficient; it will have to be followed by many years of sustainable development, reconstruction, rehabilitation, reconciliation and reform, just like in southern Sudan. Although a peace agreement will not be sufficient, it will be necessary. We cannot solve the problem overnight, but we should be able to stop the violence and the suffering within the shortest time possible. That is why very close cooperation between the United Nations and the AU is required to ensure that the robust third party force can stop anybody, can halt any force or agent displacing or killing innocent people. A

robust third party force is a buffer between the parties and, also, between combatants and civilians.

With the help of such a third party force, the international community could enable the parties in the Sudan itself to achieve a peace agreement. There has been political momentum since 31 December 2004. In Nairobi, the Peace Agreement, to which we just referred, was signed after 10 years of negotiations. In Darfur, it should be possible to reach such an agreement after 10 months, starting in February, with the adoption of a declaration of principles, an agenda and a road map for talks ending by the close of 2005. Vice-President Taha alluded to this.

This would mean that on the Sudan's day of national independence — 1 January 2006 — the Sudan could be one of the first countries in Africa to look back in peace on half a century of independence after colonial rule: a fully sovereign nation, living in peace. That is a much more rewarding achievement than the independence of a State torn by internal wars that threaten the future of the nation, the State and the people.

The President (*spoke in French*): I now give the floor to the Special Representative of the Chairperson of the Commission of the African Union in the Sudan, His Excellency Mr. Baba Gana Kingibe.

Mr. Kingibe: At the outset, may I welcome the remarks that the Special Representative of the Secretary-General just made regarding Darfur. The report of the Secretary-General to which he referred was circulated this morning, but, listening very closely to his remarks, I cannot but fully share his very deep analysis of the situation in Darfur. He has conveyed this analysis with great insight, characteristic passion and commitment. I have taken note of his recommendations, which the leadership of the African Union (AU) will, no doubt, fully and carefully consider and reach a conclusion thereupon.

I wish to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of February. I should also like to express my appreciation for the kind invitation extended to me in my capacity as the Special Representative of the Chairperson of the Commission of the African Union in the Sudan to participate in this important briefing session on the two reports of the Secretary-General on the Sudan.

The significance of this day and of this meeting of the Security Council is aptly underscored by the participation of the First Vice-President of the Republic of the Sudan, His Excellency Mr. Ali Othman Taha, and of the Chairman of the Sudan People's Liberation Movement/Army (SPLM/A), His Excellency Mr. John Garang. These two statesmen are the architects of the Comprehensive Peace Agreement that we are all celebrating. By directly negotiating the final phase of the Naivasha process between themselves, with great wisdom and patience and patriotism, they have ensured Sudanese ownership of the process and the outcome. Now that they are both going to play crucial roles as partners in the incoming Government of National Unity, the AU salutes their Excellencies and looks forward to their again bringing the "Midas Touch" to the Darfur and other contentions simmering in their great country.

Again, this morning's meeting is timely because the signing of the Comprehensive Peace Agreement on 9 January 2005 turned a new chapter in the history of the Sudan. The briefing meeting today offers all of us a window of opportunity to reassess our collective efforts and thus demonstrate to the people of the Sudan that the Security Council and the wider international community remain committed to accompanying them as they strive to implement the landmark Agreement between the Government of the Sudan and the SPLM/A. No less importantly, this briefing meeting should also signal to the Sudanese parties the expectations of the Security Council and the international community that they should continue to stay the course towards the speedy conclusion of the few outstanding issues, and thereby pave the way for a start on the implementation modalities.

This is the reason we welcome the report of the Secretary-General dated 31 January 2005 (S/2005/57) and note with satisfaction the observations and recommendations contained therein. We welcome in particular the comprehensive proposals for the deployment of a United Nations peace support operation in the Sudan, as outlined in section VI of the report. President Konaré strongly supports the Secretary-General's proposals for a united, unified approach for the coordination of the United Nations activities by pulling together the critical resources of the agencies, funds and programmes of the United Nations.

That unified approach and unity of effort are all the more vital for the envisaged working relationship between the AU and the United Nations, and the African Mission in the Sudan and the United Nations Advance Mission in the Sudan, as defined in Chapter VIII of the United Nations Charter. In this regard, the Chairperson confirms with satisfaction the ongoing discussions aimed at strengthening not only institutional cooperation between the two organizations' Missions in the Sudan, but also between the relevant policy organs and officials at all levels. He appreciates this initiative of the Secretary-General, whose objective is to maximize the full exploitation of our complementarities through mutually agreed joint coordination and cooperation mechanisms.

Furthermore, President Konaré appreciates the acknowledgement by the Secretary-General in his various reports, and indeed by this Council, of the leading role the African Union plays, and will continue to play, in the efforts to find negotiated, political solutions to the security and political problems in Darfur. The AU takes this role with all seriousness, and we are conscious of our historic responsibility. With continuing understanding and cooperation on the part of the international community as a whole, which it has so far so generously extended, our ultimate success in this regard is assured.

We also welcome the Secretary-General's two reports dated 7 January 2005 (S/2005/10 and Corr.1) and 31 January 2005 (S/2005/57). The detailed and comprehensive report of 7 January fully accords with the African Union's own observations and conclusions as reported by the Chairperson of the Commission to the just-concluded Abuja summit of the African Union. The Secretary-General shares the concern at the continuing violation of the N'Djamena Ceasefire Agreement by all sides in Darfur and at the increasing deterioration in the security situation over the past four months. However, since the recent arrival of more troops, there has been some respite in the past 10 days from the prevailing and widespread cycle of violence. Here, it is appropriate to acknowledge the solemn undertaking that the First Vice-President, His Excellency Mr. Ali Othman Taha, gave the African Union troops when he visited their headquarters in Naivasha four days ago that he would personally take responsibility for Darfur and ensure that peace returns as soon as possible.

The African Union and, I am sure, the international community as a whole will give Mr. Taha their full cooperation in this, his commitment and endeavour. Indeed, it was because the African Union recognized early — as Mr. Jan Pronk just mentioned — the need to commit sufficient troops to the task in Darfur that the AU Peace and Security Council, at its meeting of 20 October 2004, decided to ramp up its personnel to a strength of 3,320. Because of logistical and other constraints, full deployment status has not yet been achieved. However, as of yesterday, 7 February, the African Union has deployed on the ground in Darfur 370 military observers, a protection force of 1,410, 35 military police, 11 Ceasefire Commission staff officers and 81 civilian police. An additional 300 troops will soon be deployed from South Africa and Chad. Ultimately, with the continuing indispensable material and financial support of our partners — especially the United States, the European Union, Canada, the Netherlands, the United Kingdom, Germany and others — every effort will be made to accelerate the current programme of full deployment of the total strength of 3,320 by the middle of April 2005.

However, although the mere presence and the proactive initiatives of the African Union troops — which Mr. Jan Pronk has praised — have appreciably helped to avert a worsening of the security and humanitarian situations, it is also clear that, no matter how many troops are committed in Darfur, it is only the Sudanese parties themselves who can bring the crisis there to an end. So far, I cannot affirm that the parties have demonstrated sufficient political will or commitment to find a lasting solution to the crisis.

And yet, however much such a solution is delayed, the truth that there can be no military solution, but only a political one, to the conflict in Darfur will prevail. In that regard, we appreciate the contribution of the Special Representative of the Secretary-General, of the United Nations Advance Mission in the Sudan as a whole and of our other partners in the wider international community who are actively encouraging the parties to come to terms with that reality. We urge that those efforts continue in order to create an enabling environment for an early resumption of the adjourned Abuja inter-Sudanese peace talks.

We cannot ignore the fact that, prior to the convening of this Security Council meeting, the report of the International Commission of Inquiry on Darfur was submitted to the Secretary-General on 25 January

2005. The African Union is concerned about some aspects of the initial comments that followed. It appears that the debate as to what label to give the serious violations of international human rights and humanitarian law committed in Darfur has not — and cannot — stop the continuation of those violations or bring their perpetrators to account. By whatever name they are called, the crimes committed in Darfur were heinous and must not go unpunished. As matters stand, the international community risks allowing the guilty to escape punishment simply because there is no consensus on the appropriate forum in which to prosecute the crimes.

In our view, the central consideration should be how to obtain speedy but comprehensive justice in the most cost-effective way so that clear lessons are learned and salutary examples are set such that, after Rwanda and now Darfur, we can truly say, "No more". In that regard, we welcome the steps that the Government of the Sudan is undertaking to implement some of the recommendations of the report, as confirmed this morning by the First Vice-President in his intervention.

In concluding my remarks, I should like to state that, in the view of the African Union, the coming weeks are critical not only for the prospects for progress in resolving the Darfur crisis, but also for the smooth launching of the implementation of the north-south Comprehensive Peace Agreement. In that regard, I should highlight as very critical the need for continuing international commitment to the ongoing efforts by the international community as a whole, led by the Government of Norway, to mobilize resources for the construction and reconstruction of southern Sudan and the other war-affected areas of the Sudan. We urge everyone to contribute generously to the various funds that will be set up for that purpose.

Indeed, how the implementation of the north-south Comprehensive Peace Agreement unfolds will determine not only the future of Darfur and the other unresolved contentious issues elsewhere in the Sudan, but the future of the country as a whole. Fortunately, however, we are pleased to note that the Secretary-General's report provides a viable, holistic framework to deal with those interrelated matters. The African Union is committed and ready to extend maximum cooperation in the realization of the objectives set out for the proposed United Nations peace support operation in the Sudan.

The President (*spoke in French*): I thank Mr. Baba Gana Kingibe for his statement and for the kind words he addressed to me.

On behalf of the members of the Council, I thank Mr. Ali Othman Taha, First Vice-President of the Sudan; Mr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Army; Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan; and Mr. Baba Gana Kingibe, Special Representative of the Chairperson of the Commission of the African Union in the Sudan, for having accepted the Council's invitation and for sharing their views on the situation in the Sudan.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.10 p.m.